

1 John Tehranian (SBN 211616)
Email: jtehranian@onellp.com
2 Taylor C. Foss (SBN 253486)
Email: tfoss@onellp.com
3 Leo M. Lichtman (SBN 335779)
Email: llichtman@onellp.com
4 Christopher S. Skinner (SBN 342830)
Email: cskinner@onellp.com
5 **ONE LLP**
6 23 Corporate Plaza, Suite 150-105
7 Newport Beach, CA 92660
8 Telephone: (949) 502-2870
Facsimile: (949) 258-5081

9 Attorneys for Plaintiff,
10 SCOTT HARGIS

11
12 **UNITED STATES DISTRICT COURT**
13 **CENTRAL DISTRICT OF CALIFORNIA**
14

15 SCOTT HARGIS, d/b/a SCOTT
16 HARGIS PHOTO, an individual,

17 Plaintiff,

18 v.

19 PACIFICA SENIOR LIVING
20 MANAGEMENT, LLC, a California
21 limited liability corporation; and DOES
22 1-10, inclusive

23 Defendant.
24
25
26
27
28

Case No.: 2:22-cv-06989-MCS-PD
Hon. Patricia Donahue

[DISCOVERY MATTER]

**DECLARATION OF JOHN
TEHRANIAN IN SUPPORT OF
APPLICATION FOR ATTORNEYS'
FEES AND COSTS PURSUANT TO
FED. R. CIV. P. 37(a)(5)(A)**

Date: May 16, 2025
Time: 1:30 p.m.
Crtrm: 580

1 I, John Tehranian, declare as follows:

2 1. I am a partner at One LLP and counsel of record for Plaintiff/Judgment
3 Creditor Scott Hargis. I submit this declaration in support of Plaintiff's Application
4 for Attorneys' Fees and Costs Pursuant to Fed. R. Civ. P. 37(a)(5)(A) (the
5 "Application") in the above-referenced action brought by Plaintiff against
6 Defendant/Judgment Debtor Pacifica Senior Living Management, LLC.

7 2. I have personal knowledge of the facts stated herein, and if called upon
8 to testify, could and would competently thereto.

9 **Plaintiff's Fees and Expenses Incurred**

10 **A. Hourly Rates**

11 3. I am a founding partner of One LLP ("One"). One is a boutique firm
12 with approximately 30 attorneys across offices in Beverly Hills, Newport Beach,
13 and Dallas, and specializes in intellectual property and entertainment law, and its
14 attorneys include numerous skilled litigators in the field with many years of
15 relevant experience.

16 4. I have been a member of the California Bar since 2000 and have been
17 practicing law for almost twenty-five years.

18 5. My background includes the following: I earned my A.B. in 1995 from
19 Harvard University and my J.D. from Yale Law School in 2000. I began my legal
20 career as a litigator at O'Melveny & Myers LLP.

21 6. My legal practice and expertise have a particular focus on copyright
22 and other intellectual property issues. In my practice, I have handled high-profile
23 disputes and transactions involving numerous legends from the worlds of music
24 (Bootsy Collins, Don Henley, B.B. King, Madonna), film (Luis Bunuel, Harold
25 Lloyd), fashion (Jeremy Scott), theater (Stephen Sondheim), photography (David
26 LaChapelle, Annie Leibovitz), literature (John Fante, Ernest Hemingway, Frank
27 Herbert, Jules Verne) and athletics (Oscar de la Hoya, Tony Parker, Dean Potter).

1 7. I have also served as counsel in numerous published appellate
2 decisions on copyright matters, including *Mavrix Photographs, LLC v. LiveJournal,*
3 *Inc.*, 873 F.3d 1045 (9th Cir. 2017), *Direct Technologies, LLC v. Electronic Arts,*
4 *Inc.*, 836 F.3d 1059 (9th Cir. 2016) and *Mavrix Photo, Inc. v. Brand Technologies,*
5 *Inc.*, 647 F.3d 1218 (9th Cir. 2011). *Variety's* 2013 Legal Impact Report has
6 recognized me as one of the world's top 50 entertainment lawyers, *Billboard*
7 *Magazine* has identified me as one of the top music lawyers in the business, and I
8 have been repeatedly honored as a Southern California *Super Lawyer*.

9 8. Besides practicing law, I am also an academic. In that capacity, I
10 currently serve as Paul W. Wildman Chair and tenured Professor of Law at
11 Southwestern Law School in Los Angeles, California where, among other things, I
12 regularly teach Constitutional Law, Entertainment Law and Copyright Law. In
13 2023, I served as Visiting Professor of UCLA School of Law, where I taught
14 Entertainment Law and Constitutional Law. I have previously served as a tenured
15 Professor of Law at the University of Utah, S.J. Quinney College of Law, and as a
16 Visiting Professor of Law at Loyola Law School.

17 9. I am the author of dozens of articles and three books on constitutional
18 and copyright-related issues: *Whitewashed* (New York University Press, 2009),
19 *Infringement Nation: Copyright 2.0 and You* (Oxford University Press, 2011) and
20 *The Secret Life of Copyright: Intellectual Property and Inequality in the Digital*
21 *Age* (Cambridge University Press, forthcoming). My scholarship has also appeared
22 in publications such as the Yale Law Journal, Northwestern University Law
23 Review, Southern California Law Review, Iowa Law Review, Harvard Journal of
24 Law and Gender, George Washington Law Review, Berkeley Technology Law
25 Journal, Hastings Law Journal, U.C. Davis Law Review, and the Chronicle of
26 Higher Education.

27 10. My work has been widely cited, from testimony before the United
28 States Congress and decisions of Israeli and American federal courts to briefs

1 before the United States Supreme Court in such landmark intellectual property
2 cases as *Warhol v. Goldsmith* (2022), *Google v. Oracle* (2021), *Kirtsaeng v. John*
3 *Wiley & Sons* (2013), *Golan v. Holder* (2012), and *MGM v. Grokster* (2005).

4 11. My hourly rate through December 2024 was \$795; since January 1,
5 2025, my hourly rate is \$895. The hourly rates of the other lawyers who worked on
6 the underlying discovery dispute range from \$495-795. As a firm, we regularly
7 practice in courts around the country, with a notable presence in California.
8 Because our firm operates on lower overhead than larger national firms, we are able
9 to set our hourly rates intentionally below market levels in order to provide extra
10 value to our clients. The other core lawyer from my firm who worked on the
11 underlying discovery dispute, Chris Skinner, is also highly qualified and an
12 experienced lawyer in good standing with their respective bars, and each has
13 substantial experience litigating copyright disputes. In addition to the core team,
14 Victoria Mulvey, an associate with several years of experience who initially worked
15 on the supplemental motion to compel brief dispute and has since left the firm,
16 provided important work on behalf of Plaintiff. Attached as **Exhibit 1** are the
17 profiles of each attorney that worked on this case. For those still with One, these
18 profiles can also be viewed at <https://www.onellp.com/attorneys/>.

19 12. Our hourly fees request is eminently reasonable based on our above-
20 described experiences and backgrounds, particularly when compared to prevailing
21 rates in the community. Indeed, courts in this District and others have regularly
22 approved fees at comparable or higher rates, especially when accounting for
23 inflation. *See, e.g., Russell v. Walmart Inc.*, 2024 U.S. Dist. LEXIS 15631, at *13
24 (C.D. Cal. Jan. 2, 2024) (approving rates ranging from \$170 to \$775); *Cinq Music*
25 *Grp., LLC v. Create Music Grp., Inc.*, No. 2:22-cv-07505-JLS-MAR, 2023 U.S.
26 Dist. LEXIS 76599, at *11 (C.D. Cal. Apr. 26, 2023) (approving \$750 and \$350);
27 *Washington v. ViacomCBS, Inc.*, No. 2:20-cv-00435-CBM-PJW, 2021 U.S. Dist.
28 LEXIS 243658, at *10-13 (C.D. Cal. Dec. 9, 2021) (approving rates ranging from

\$490 to \$1000); *WB Music Corp. v. Royce Int'l Broad. Corp.*, No. EDCV 16-600 JGB (DTBx), 2018 U.S. Dist. LEXIS 227743, at *13-18 (C.D. Cal. July 9, 2018) (approving rate of \$778.50 for senior counsel, \$702 for senior associate, and \$495 for junior associate); *AECOM Energy & Constr., Inc. v. Ripley*, No. 2:17-cv-05398-RSWL-SS, 2018 U.S. Dist. LEXIS 27035, at *3 (C.D. Cal. Feb. 16, 2018) (approving rate of \$892 for partner, \$554 for associate, and \$334 for paralegal); *In re High-Tech Empl. Antitrust Litig.*, No. 11-CV-02509-LHK, 2015 U.S. Dist. LEXIS 118052, at *33-34 (N.D. Cal. Sep. 2, 2015); *Perfect 10, Inc. v. Giganews, Inc.*, No. CV 11-07098-AB (SHx), 2015 U.S. Dist. LEXIS 54063, at *45 (C.D. Cal. Mar. 24, 2015) (approving rates of \$750-\$930 for senior partners, \$610-750 for junior partners, and \$350-690 for associates); *Burton Way Hotels, Ltd. v. Four Seasons Hotels*, No. CV 11-303 PSG (PLAx), 2015 U.S. Dist. LEXIS 189845, at *7 (C.D. Cal. Jan. 21, 2015) (approving partner rate of \$886.50 and associate rate of \$540); *Banas v. Volcano Corp.*, 47 F. Supp. 3d 957, 965 (N.D. Cal. 2014) (approving hourly rates ranging from \$355 to \$1,095 per hour for partners and associates and \$245 to \$290 per hour for paralegals); *see also Beastie Boys v. Monster Energy Co.*, 112 F. Supp. 3d 31, 55-56 (S.D.N.Y. 2015) (approving rates averaging \$675 for partners, and \$461.06-\$505 for second, third, and fourth-year associates); *Sub-Zero, Inc. v. Sub Zero NY Refrig. & Appl. Servs.*, No. 13-CV-2548 (KMW) (JLC), 2014 U.S. Dist. LEXIS 45625, at *24-25 (S.D.N.Y. Apr. 1, 2014) (approving rates of \$785 and \$485 in trademark infringement case).

B. Time Expended

13. Attached hereto as **Exhibit 2** are true and correct copies of detailed descriptions of the legal services provided by the individuals at One who worked on the motion to compel and this Application from October 2024 through March 2025. These records include a description of the work performed, the attorney performing the work and their respective hourly rates, and the length of time spent in connection therewith.

1 14. **Exhibit 2** was prepared from the contemporaneous daily time records
2 prepared in the normal course of my firm's business. One uses a web-based
3 software program called "BillQuick." All attorneys at One are required to record
4 their time entries for client matters on a daily basis. For every day worked, each
5 attorney enters into BillQuick, for each client matter, a description of the task(s)
6 performed and the amount of time spent on each task(s). One maintains and stores
7 these time records in BillQuick, and they are used to generate invoices for One's
8 clients. The relevant information in Exhibit 2 has also been entered into the
9 concurrently-submitted Fee Chart, a copy of which is being submitted to the Court
10 in Word format, pursuant to the Court's instructions

11 15. Redactions have been made to **Exhibit 2** to protect Plaintiff's attorney-
12 client privilege in certain instances and to remove time entries incurred in this
13 litigation but unrelated to the motion to compel and this Application. The
14 inadvertent disclosure of any confidential or privileged information should not be
15 considered a waiver of any applicable privileges.

16 16. In order to exercise sound billing judgment, One carefully reviewed its
17 time entries to ensure that none of the fees sought are excessive, redundant, or
18 otherwise unnecessary. All work reflected in the time records was necessary and
19 justified to obtain a compel Defendant's production of Documents responsive to
20 RFP No. 24 including, but not limited to, drafting and filing the motion to compel
21 and preparing the Application.

22 17. Additionally, Plaintiff is not seeking fees associated with time
23 expended by paralegals, who are normally billed at \$195 per hour.

24 ///

25 ///

26 ///

27 ///

28 ///

